

REMARKS/ARGUMENTS

Claims 13-30 are active. Claims 11 and 12 have been withdrawn from consideration.

Aspects of the Invention

One object of the present invention was to obtain an allyl compound having a compositional formula different from that of an allyl starting material compound by reacting the allyl starting material compound and an oxygen nucleophilic agent in the presence of a particular transition metal compound and a particular multidentate phosphate. Conventionally, it was difficult to react an oxygen nucleophilic agent having a low reactivity with an allyl compound. However, it has been found by the present inventors that various allyl compounds can be efficiently produced by employing a specific catalyst of the present invention with a sufficiently high activity.

Restriction/Election

The Restriction Requirement has now been made FINAL. The Applicants previously elected the subject matter covered by Group I, Claims 1-10.

Rejection—35 U.S.C. §102

Claims 13-15, 20-24, 28 and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Au et al., U.S. Patent No. 6,557,740. The Applicants traverse this rejection since Au does not suggest the selection of a catalyst containing a multidentate phosphite compound, nor provide any reasonable expectation of success for the superior activity of such a catalyst in the present claimed method of producing an allyl compound.

Initially, Au does not disclose multidentate phosphites as required by the present claims. Moreover, the specification, page 7, line 5, already specifically distinguishes a

catalyst system using a monodentate phosphite (triphenyl phosphite) from a catalyst system employing a multidentate phosphite. Table 1 on page 89 of the specification also shows that selection of the bidentate phosphites L-26 and L-8 significantly improves allylphenyl ether yield compared to the monodentate phosphite $P(OPh)_3$ or the phosphine compound dppb. Tables 2 and 3 on pages 90 and 92 also show the significant advantages obtained by using a multidentate phosphite in comparison to monodentate phosphites or the phosphine dppb. Accordingly, the Applicants respectfully request that this rejection be withdrawn in view of the lack of suggestion in Au for selecting a multidentate phosphite and the lack of any reasonable expectation of success for obtaining the superior results for a process employing a multidentate phosphite.

Provisional Obviousness-type Double Patenting Rejection

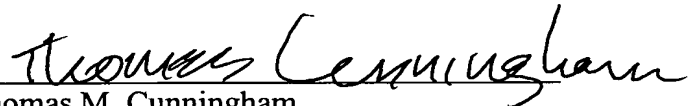
Claims 13-30 were rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1-9 of copending Application 10/650,697. A review of PAIR indicates that the copending application has not been allowed. Accordingly, the Applicants respectfully request that this provisional rejection be withdrawn upon an indication of allowability for the present application.

CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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